

C61-02486 sb3c@2



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Of Counsel: Frederick N. Halverson • Terry C. Schmalz  
\*Also a member of the State of Oregon Bar

November 29, 2011

Mr. Scott Turner  
Trust Water Right Coordinator  
Department of Ecology / Central Regional Office  
15 W. Yakima Avenue, Suite 200  
Yakima, WA 98902

RE: Application for Temporary Donation to TWRP / Teana Pines LLC

Dear Mr. Turner,

In follow-up to Section 7 of Teana Pines' application for donation of a 6.52 acre-foot irrigation right, which was submitted to your office on or about September 12, 2011, our office received written acknowledgment and approval from Mr. Eric Barlow, current owner of the real property to which the subject irrigation right is appurtenant. We are forwarding to you the original signature page to attach to the application.

We would appreciate if you would confirm receipt of the enclosed document and provide us with a status/progress report on this matter. At your earliest convenience, please call (248-6030) or email (pdempsey@vhlegal.com).

Sincerely,

VELIKANJE HALVERSON P.C.

Theresa Irwin-Akland  
Legal Assistant to Paul C. Dempsey

Enclosure

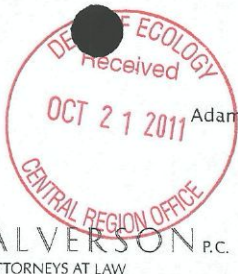
CC w/o encl: Mr. Craig Pedersen  
Lawrence E. Martin, Esq.







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VIA REGISTERED MAIL

October 20, 2011

**Mr. and Mrs. Eric Barlow**  
10230 SE 21st St.  
Bellevue, WA 98004

COPY

Dear Mr. and Mrs. Barlow:

This firm represents Mr. Craig Pedersen and his family, whose limited liability company, Teana Pines LLC, owns real property and water rights in the Teanaway River area of Kittitas County. This letter is to follow up on recent inquiries made by Craig, as well as my October 19, 2011, telephone call to your Bellevue residence.

As we've explained previously, Teana Pines LLC owns an irrigation water right that is appurtenant to the parcel that you recently acquired from Mr. Kenneth Wilgus – Kittitas County Map No. 21-15-36050-0011. In recent years, the subject Teana Pines LLC water right had been donated on a temporary basis to the Washington Trust Water Right Program ("TWRP") for purposes of instream flow enhancement. That donation expired at the end of 2010, but Teana Pines LLC has filed a new application with the Department of Ecology, a copy of which is enclosed for your information. During the pendency of a trust water right donation, the water right may not be diverted and used by anyone (including the water right owner and/or the owner of appurtenant real property) for any purpose.

As noted in Section 7 of the enclosed application (p. 3):

In connection with this Application, we are notifying Mr. Barlow that Applicant once again intends to place the subject water right in the TWRP; we will provide, under separate cover, Mr. Barlow's signed acknowledgment, confirming that no beneficial use of the water right shall occur on his property/place of use during the period of the temporary trust donation.

In order to complete the trust water right application, we therefore request that you, in your capacity as landowner of the designated place of use of the water right, sign and date the application and return to us at your earliest convenience. A separate execution copy of page 3 of the application is enclosed herewith and flagged to indicate your signature and date line. We also enclose a postage-paid return envelope for your convenience. Otherwise, you have no obligations with respect to the subject water right. Likewise, no further participation will be required in the



October 20, 2011  
Mr. and Mrs. Eric Barlow  
Page 2


future, except perhaps to obtain your signature on a similar form in order to permanently transfer the water right to the Teana Pines LLC property.

Thank you in advance for your prompt attention to this request. May we expect to receive your executed signature page on or before October 31, 2011?

In the meantime, if you have any questions or concerns, please feel free to contact me directly.

Very truly yours,

VELIKANJE HALVERSON P.C.



Paul C. Dempsey

Encls.

cc: Mr. Craig Pedersen, Teana Pines LLC (w/out enclosures)  
Mr. Scott Turner, Ecology Trust Water Right Coordinator (w/out enclosures)





STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

September 21, 2011

Velikanje Halverson P.C.  
Attn: Paul C. Dempsey, Esq.  
PO Box 22550  
Yakima WA 98907-2550

Re: Water Right Change Application No. CS4-02486sb3c@2

We have received your water right change application and have assigned it the number shown above. Please use this number in future communications with our office.

If you have any questions, please contact Teresa Mitchell at 509-575-2597.

Sincerely,

*MELISSA M. DOWNES*

Melissa Downes, LHG  
Acting Section Manager  
Water Resources Program

MD:hd  
110922

cc: Craig Peterson, Teana Pines, LLC

App-expedited.doc

**FILE COPY**





<b>Court Claim 02486 (Sub 3 Teanaway)</b> (created from the Draft Schedule of Rights as of 11-22-2010)				
Proposed Certificate Number & (pg# from Draft Schedule)	Priority Date	Assigned letter for WRATS changes	Source	Claimant Name
S4-84765-J (pg 1435)	06-30-1890 Seasonal Group Dom	a	Teanaway River See MOD CS4-02486CTCL KITT-05-10 dated 12-06-06 for multiple PODs	Teanaway Tract Recreational Assoc
S4-83754-J (pg 1457)	06-30-1890 3.83 acres irr Stockwater	b	Teanaway River T21N R15E-26 SE SE	Jeffrey J Welcome et ux
S4-84337-J (pg 1444)	06-30-1890 3.17 acres irr Stockwater	c	Teanaway River T21N R15E-26 SE SE	Teana Pines LLC



CLAIMANT NAME: **Teana Pines LLC** COURT CLAIM NO. 02486

Certificate Number: S4-84337-J

Subbasin: 03 Teanaway River

Source: Middle Fork of the Teanaway River

Use: Irrigation of 3.17 acres and stock water

Period of Use: May 1 through September 15

Quantity: 0.047 cfs, 6.52 acre-feet per year

Priority Date: **June 30, 1890**

Point of Diversion: 1200 feet north and 800 feet west from the southeast corner of Section 26, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 26, T. 21 N., R. 15 E.W.M.

Place of Use: Lot 11 (3.48 acres) of the Plat of Logan's Acres, being within that portion of the E $\frac{1}{2}$ NW $\frac{1}{4}$  of Section 36, T. 21 N., R. 15 E.W.M., lying southwest of the Middle Fork Teanaway Road (Kittitas County Tax Parcel 21-15-36050-0011, Property No. P877535).